

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

CHRISTOPHER THOMPSON,

Petitioner,

CASE NO. 09-CV-10520

v.

JUDGE PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

LLOYD RAPELJE,

Respondent.

**ORDER DENYING PETITIONER'S MOTION
TO STAY STATE COURT PROCEEDINGS AS MOOT**

Petitioner Christopher Thompson, a Michigan state inmate currently incarcerated at the Saginaw Correctional Facility in Freeland, Michigan, filed a *pro se* petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, alleging that he is incarcerated in violation of his constitutional rights. Pending before the Court is Petitioner's motion requesting that this Court stay his state appellate court proceedings until the Court has ruled on his federal habeas petition. However, on September 30, 2009, this Court granted Respondent's motion to dismiss Petitioner's petition on exhaustion grounds; Petitioner's petition was dismissed without prejudice. (Dkt. ## 9 & 10.) Therefore, the Court concludes that Petitioner's motion is moot. Moreover, because the Court does not have jurisdiction over the state courts, or the state appellate courts, a stay of the state appeals process would not be appropriate.

Accordingly, **IT IS ORDERED** that Petitioner's motion is **DENIED** as moot.

S/Paul D. Borman

PAUL D. BORMAN

UNITED STATES DISTRICT JUDGE

Dated: October 8, 2009

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on October 8, 2009.

S/Denise Goodine

Case Manager